REMARKS/ARGUMENTS

Status of Claims

Claims 2, 8, and 12 have been amended. Claims 21-23 have been canceled. Claims 1-20 are pending.

Rejection under 35 U.S.C. 102

The Examiner rejected Claims 1-4, 11-14, and 17-20 under 35 U.S.C. 102 as being anticipated by Tahara et al. (USPN 6,671,323, hereinafter "Tahara").

Tahara does not teach or disclose using the user recorded editing steps for compressing the video, as recited in claims 1, 11, and 17. The Examiner stated that FIGS. 1 and 4, col. 11, lines 44-48, col. 22, lines 19-34 of Tahara teaches accessing the edit track to use data in the edit track during compressing, where the edit track is the MPEG_ES_editing_information and the compressing is the encoding. Col. 2, lines 2-11, of Tahara states that the ancillary data of FIG. 1 is not encoded but instead is lost so that for the device of FIG. 1 the decoded video data does not contain information on the ancillary data. Therefore, the device of FIG. 1 of Tahara does not use the ancillary data for encoding, but instead loses such data. Regarding FIG. 4 of Tahara, although FIG. 4 illustrates an MPEG encoder 142 and an MPEG decoder 144, the Examiner failed to point out anything in Tahara that teaches or discloses that the MPEG encoder of FIG. 4 of Tahara uses MPEG_ES_editing_information to compress the video during MPEG encoding. Col. 11, lines 44-48, of Tahara, cited by the Examiner states that coding circuit 125 coverts the information supplied from the controller 104 as MPEG_ES_editing_information into a variable length code and inserts them into the encoded stream. This does not teach using the MPEG_ES_editing information for encoding, but only inserting after the encoding is performed. Therefore, this does not teach using the edit track for compressing.

In addition, Col. 22, lines 19-34, of Tahara, cited by the Examiner teaches that decoding circuit 402 extracts information described as MPEG_ES_editing_information. This relates to decoding (decompression), and therefore does not teach using MPEG_ES_editing_information for encoding (compression). Therefore, the Examiner failed to point out anything in Tahara that teaches using the edit track for comprising the video data.

In addition, Col. 3, lines 59-65, of Tahara explains that the device of Tahara has an encoder that takes ancillary data and inserts the ancillary data into the already encoded data stream. The decoder then extracts the ancillary data and then decodes the encoded data and merges the decoded data with the ancillary data. This is different than using edit data for encoding.

The Examiner also cited FIGS. 10-16 and 24-25 and col. 9, lines 49-54, col. 12, lines 31-34, and col. 14, lines 58-61 as teaching that the edit track records editing steps made by a user and that the recorded edited steps are used for compressing the video data. Col. 9, lines 49-54, col. 12, lines 31-34, and col. 17, lines 58-61, do not teach using MPEG_ES_editing_information to compress the video data. As discussed above, Tahara teaches that the video data is first encoded (compressed) and then information from MPEG_ES_editing_information is added to a stream of encoded data, instead of using information from MPEG_ES_editing_information to encode the video data. Col. 9, lines 46 to 47, states that the codes are inserted into an encoded stream The stream is already encoded before the information is inserted. Col. 12, lines 31-34, of Tahara, provides more specifics in inserting information into the encoded stream, not using edit information for encoding. Col. 17, lines 58-61, of Tahara discuses the form of "history data." The Examiner did not cite anything regarding using the "history- data" for compressing.

Claim 17 further recites the system for compressing video data further comprises an edit track reader for accessing data within the edit track and generating instructions based on the data within the edit track and that the video compressor receives the instructions from the edit track reader and compresses the edited video according to the instructions from the edit track reader. The Examiner cited col. 22, lines 19-34, and col. 23, lines 31-34, of Tahara as teaching this. Col. 22, lines 19-34, of Tahara describes a variable length decoding circuit 402. The decoding circuit does not compress (encode) but instead decodes (decompresses). Col. 23, lines 31-34, discusses the controller 405. Controller 405 is part of FIG. 31 of Tahara, which in col. 21, lines 63-65, states illustrates an MPEG decoder, which is not an encoder. For at least these reasons, Claims 1, 11, and 17 are not anticipated or made obvious by the cited references.

Rejection under 35 U.S.C. 103(a)

The Examiner rejected Claims 5-10 and 15-16 under 35 U.S.C. 103(a) as being unpatentable over Tahara et al. (6,671,323), in view of Wang et al. (USPN 5,802,361, hereinafter "Wang").

Dependent Claims 2-10, 12-16, and 18-20 are also patentably distinct from the cited references for at least the same reasons as those recited above for the independent claims, upon which they ultimately depend. These dependent claims recite additional limitations that further distinguish these dependent claims from the cited references.

For example, Claims 2 and 12 have been amended to recite that the computer readable code uses information in the edit track to determine the bit resolution of quantization for a region defined within the edit track for compressing the video data. The Examiner cited col. 13, lines 52-67, of Tahara as teaching horizontal_size_value, vertical_size_value, aspect_ratio_information, and bit_rate_value is read from the edit track. Col. 11, line 51, to col. 14, line 24, describes how this data is added to the data stream. This information is not used for compressing the video data, but as discussed above for decoding the compressed video data.

In addition, Claims 3 and 13 further recite that the computer code for compressing further comprises using computer readable code for using the motion information in the edit track to create a motion vector. Claims 4 and 14 further recite that the computer readable code for compressing the video data further comprises computer readable code for using the edit track to create a difference vector. The Examiner states that motion information is described in col. 19, lines 4-26, of Tahara, but did not point out anything that teaches that the code for compressing uses that motion information to create a motion vector or a difference vector. Instead, col. 19, lines 4-12, states that f_code[0][1], f_code[1][0], and f_code[1][1] provide ranges for searching for motion vectors. Col. 19, lines 23-25, states that concealment_motion_vectors provides data that indicates that intramacroblocks are provided with motion vectors for hiding transmission errors. Nothing teaches using the edit track to create a motion vector or a difference vector, as recited in Claims 3, 4, 13, and 14.

In addition, Claims 5 and 15 further recite that the compressing of the video data further comprises using information in the edit track to determine a number of I-frames that will be used for compression. It would not be obvious to combine Tahara and Wang to obtain the invention as recited in Claims 5 and 15. The Examiner did not provide motivation as to why a broadcast system of Tahara would be motivated to add the video search tool of Wang.

In addition, Claims 6, 7, and 16 further recite creating a video track of edited video data and computer readable code for creating at least one edit object in the edit track, wherein the edit object defines a region that has been edited and a type of edit. The Examiner stated that the creating a track of edited video data is shown in FIG. 5h of Wang and that creating at least one

object in the edit track is disclosed in Wang, col. 16, lines 53-65, where the object is a rectangle. At col. 14, lines 34-35, Wang states that FIGS. 5 through 9 show an embodiment of a graphic user interface for constructing a search inquiry. Therefore FIG. 5h of Wang and FIG. 5i and 5b, discussed in col. 16, lines 53-65, of Wang, cited by the Examiner do not teach a video editing tool or an edit track, but a tool for generating a search request. In addition, col. 16, lines 32-46, of Wang describes FIG. 5h as a way of adding or modifying a bookmark to indicate locations in a "video sequence to be edited." The bookmark does not edit the video sequence but merely marks locations "to be edited."

Claim 8 has been amended to clarify that the edit track is used to increase bit resolution in the compressed video data, to clarify that the edit track is used to compress the video data not added after the video data is compressed. For at least these reasons, Claims 2-10, 12-16, and 18-20 are not anticipated or made obvious by the cited references.

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at telephone number (650) 961-8300.

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